



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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WASHINGTON, DC 20554

DA 01-821

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**Released: March 30, 2001**

**WIRELESS TELECOMMUNICATIONS BUREAU AND INTERNATIONAL BUREAU  
GRANT CONSENT FOR ASSIGNMENT OF BROADBAND PCS LICENSES AS PART  
OF LICENSE EXCHANGE BETWEEN CINGULAR WIRELESS LLC  
AND VOICESTREAM WIRELESS CORPORATION**

**WT Docket No. 01-10**

Pursuant to sections 4(i) and 310(d) of the Communications Act of 1934, as amended, (the "Act"), 47 U.S.C. §§ 154(i), 310(d), and section 0.331 of the Commission's rules, 47 C.F.R. § 0.331, the Wireless Telecommunications Bureau approves, subject to the conditions set forth below, the applications requesting Commission consent to the full or partial assignment of certain broadband Personal Communications Services ("PCS") licenses held by subsidiaries of Cingular Wireless LLC ("Cingular") and VoiceStream Wireless Corporation ("VoiceStream"), as part of a proposed license exchange.<sup>1</sup> No comments or petitions to deny were received in response to the Public Notice announcing that the applications had been accepted for filing.<sup>2</sup>

Under the proposed transaction, a subsidiary of Cingular would exchange PCS spectrum in the Los Angeles and San Francisco MTAs for PCS spectrum currently held by subsidiaries of VoiceStream in the New York MTA and the St. Louis BTA. VoiceStream also proposes to convey to a subsidiary of Cingular a license in the Detroit BTA currently held by Cook Inlet/VoiceStream GSM II PCS, LLC in exchange for Cingular spectrum in the San Francisco MTA. In order to effectuate the proposed license exchanges, certain of the licenses will be disaggregated and/or partitioned.

Pursuant to sections 4(i) and 310(b)(4) of the Act, and section 0.261 of the Commission's rules, the International Bureau extends to the common carrier licenses to be acquired by VoiceStream the prior rulings permitting specified levels of indirect foreign ownership of

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<sup>1</sup> See File Numbers 0000287262, 0000287259, 0000287272, 0000287283, 0000288898, 0000304108, and 0000303703.

<sup>2</sup> See *Cingular Wireless LLC and VoiceStream Wireless Corporation Seek FCC Consent for Assignment of PCS Licenses*, Public Notice, WT Docket No. 01-10, DA 01-135 (rel. Jan. 18, 2001).

VoiceStream licensees in excess of the 25 percent benchmark set forth in section 310(b)(4).<sup>3</sup> Applicants certify that VoiceStream remains in compliance with these rulings. Further, this action is without prejudice to any future action by the Commission addressing the issue of VoiceStream's foreign ownership. *See* Letter from Ernest F. Hollings, Ranking Democrat, Committee on Commerce, Science and Transportation, U.S. Senate to William E. Kennard, Chairman, Federal Communications Commission, IB Docket 00-187 (filed Nov. 30, 2000).

Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon release of this Public Notice. Pursuant to sections 1.106(f) and 1.115(a) of the Commission's rules, 47 C.F.R. §§ 1.106(f), 1.115(a), petitions for reconsideration and applications for review may be filed within thirty days of the release of this public notice.

For further information, contact Lauren Kravetz or John Branscome, Wireless Telecommunications Bureau, Commercial Wireless Division, at (202) 418-7240, or Claire Blue, International Bureau, Telecommunications Division, at (202) 418-1460.

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<sup>3</sup> *Applications of Voicestream Wireless Corporation, Omnipoint Corporation, Cook Inlet/VS GSM II PCS, LLC, and Cook Inlet/VS GSM III PCS, LLC for Consent to Transfer of Control and Assignment of Licenses and Authorizations*, 15 FCC Rcd 3341 (2000); *Applications of Aerial Communications, Inc., Transferor, and Voicestream Wireless Holding Corp., Transferee*, 15 FCC Rcd 10,089 (IB, WTB 2000).